

Mail Stop Interference  
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Paper 1

Filed 12 January 2010

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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**AVISHAI ELAZAR**  
Junior Party  
(Patent 6,542,602),

v.

**VALERY A. PETRUSHIN**  
Senior Party  
(Application 09/833,301).

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Patent Interference No. 105,737 (JL)  
(Technology Center 2600)

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**DECLARATION - Bd.R. 203(b)<sup>1</sup>**

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<sup>1</sup> "Bd.R. x" may be used as shorthand for "37 C.F.R. § 41.x". 69 Fed. Reg. 49960, 49961 (12 Aug. 2004).

1           **Part A. Declaration of interference**

2           An interference is declared (35 U.S.C. § 135(a)) between the above-identified  
3 parties. Details of the application(s), patent (if any), reissue application (if any), count(s)  
4 and claims designated as corresponding or as not corresponding to the count(s) appear  
5 in Parts E and F of this DECLARATION.

6           **Part B. Judge managing the interference**

7           Administrative Patent Judge Jameson Lee has been designated to manage the  
8 interference. Bd. R. 104(a).

9           **Part C. Standing order**

10          A Trial Section STANDING ORDER [SO] (Paper 2) accompanies this  
11 DECLARATION. The STANDING ORDER applies to this interference.

12          **Part D. Initial conference call**

13          A telephone conference call to discuss the interference is set for **1:00 p.m. (EST)**  
14 **on 25 February 2010** (the Board will initiate the call).

15          No later than **four business days** prior to the conference call, each party shall  
16 file and serve (SO ¶¶ 10.1 & 105) a list of the motions (Bd. R. 120; Bd. R. 204;  
17 SO ¶¶ 104.2.1, 120 & 204) the party intends to file.

18          A sample schedule for taking action during the motion phase appears as Form 2  
19 in the STANDING ORDER. Counsel are encouraged to discuss the schedule prior to  
20 the conference call and to agree on dates for taking action. A typical motion period  
21 lasts approximately eight (8) months. Counsel should be prepared to justify any request  
22 for a shorter or longer period.

**Part E. Identification and order of the parties**

Junior Party

Named inventor: VALERY A. PETRUSHIN, Arlington Heights, IL  
Involved Application: 09/833,301 filed 10 April 2001  
Title: Detecting emotion in vice signals in a call center  
Assignee: ACCENTURE LLP

Senior Party

Named Inventor: AVISHAI ELAZAR, Sunnyvale, CA  
Involved Patent: 6,542,602 granted 1 April 2003 based on  
Application 09/503,479 filed 14 February 2000  
Title: Telephone call monitoring system  
Assignee: Nice Systems Ltd.

The senior party is assigned exhibit numbers 1001-1999. The junior party is assigned exhibit numbers 2001-2999. Bd. R. 154(c)(1); SO ¶ 154.2.1. The senior party is responsible for initiating settlement discussions. SO ¶ 126.1.



**Part G. Heading to be used on papers**

The following heading must be used on all papers filed in this interference, see  
SO ¶ 106.1.1:

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**Part H. Order form for requesting file copies**

When requesting copies of files, use of SO Form 4 will greatly expedite processing of the request. Please attach a copy of Parts E and F of this DECLARATION with a hand-drawn circle around the patents and applications for which a copy of a file wrapper is requested.

/JAMESON LEE/  
Administrative Patent Judge

Enc:  
Copy of STANDING ORDER

Revised 3 January 2006

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